IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

MFA.No. 430 of 1996(A)

OP.MV.282/1991 of M.A.C.T., PALAKKAD
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APPELLANTS/RESPONDENTS 1 AND 2:
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1. SUBRAMANIAN @ SUBRAN, S/o,MAKKUNNI,
   AGED 40 YEARS, PALIYATH VEEDU,
   POOKKODE AMSOM, KOTTAPPADI P.O.
   TRICHUR DISTRICT.

2. T.M.SULOCHANA, W/o.P.M.SUBRAMANIAN,
   POLIYATH VEEDU, KOTTAPPADI P.O.,
   POOKKOD AMSOM, DESOM, TRICHUR DISTRICT.

   BY ADV. SRI.N.J.JOHNSON
   SRI.P.SATHISAN

RESPONDENTS: PETITIONERS AND 3RD RESPONDENT:
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1. AMMINI W/o. LATE N.K. JACOB, THEYYAL VEEDU,
   CHEMMANNUR, KUNNAMKULAM, TRICHUR DISTRICT.

2. SHOBI D/o. LATE N.K.JACOB THEYYAL VEEDU,
   CHEMMANNOOR, KUNNAMKULAM.

3. BENNY D/o.LATE N.K. JACOB -DO- -DO-

4. SHAJAN S/o.LATE N.K. JACOB -DO- -DO-

5. ANDREW S/o. LATE N.K. JACOB -DO- -DO-

6. BEENA D/o. LATE N.K.JACOB -DO- -DO-

7. JIJA D/o. LATE N.K. JACOB -DO- -DO-

8. JISHA D/o. LATE N.K.JACOB -DO- -DO-

9. THE UNITED INDIA ASSURANCE CO. LTD.,
KUNNAMKULAM

R9 BY ADV. SRI.M.A.GEORGE

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.No.1856 OF 1996 IN M.F.A.No.430 OF 1996

DISMISSED

08-06-2007 Sd/- J.B.KOSHY,JUDGE

Sd/- K.P.BALACHANDRAN, JUDGE

TRUE COPY

P.A.TO JUDGE

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO.430 OF 1996 ()
&
C.M.P.NO.1855 OF 1996

Dated this the 8th day of June, 2007

J U D G M E N T

KOSHY,J.

Notice was ordered in this case on 1996. So far defects were not cured. Notice to R1 to R8 was returned as "not known". Despite several opportunities granted, no steps were taken to cure the defects. Therefore both delay condonation petition and appeal are dismissed for non prosecution.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO.430 OF 1996 ()
&
C.M.P.NO.1855 OF 1996

J U D G M E N T

1st June, 2007